

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**June 3, 2008**

**DIVISION ONE**

B198610      Los Angeles County, D.C.S.      (Certified for Publication)  
                 v.  
                 Joseph T.

The judgment is affirmed.

Rothschild, J.

I concur:      Vogel (Miriam A.), J.

I concur and dissent:      Mallano, Acting P.J. (Opinion)

B193646      People  
                 v.  
                 Johnny J.

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

DIVISION TWO

B196302 People (Not for Publication)  
v.  
Jose L.

The order of wardship is modified by striking the order setting a three-year maximum term of confinement. In all other respects, the order of wardship is affirmed. The juvenile court is directed to correct the minute order of the disposition hearing accordingly.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

B197108      De Walt et al.      (Not for Publication)  
v.  
Jobete Music Co. Inc.

The judgment is affirmed. Jobete is entitled to recover its costs on appeal.

Doi Todd, J.

We concur:   Boren, P.J.  
                          Chavez, J.

DIVISION TWO (continued)

B199859      Cinquegrani et al.                      (Certified for Publication)  
v.  
Department of Motor Vehicles et al.

The judgment is affirmed. This Court's order of July 24, 2007, granting the DMV's petition for writ of supersedeas and staying the preliminary injunction is dissolved.

Boren, P.J.

We concur:    Ashmann-Gerst, J.  
                     Chavez, J.

B199537      Valento    (Not for Publication)  
v.  
City of Burbank et al.

The judgment of dismissal is reversed. The matter is remanded and the trial court is directed to vacate the order sustaining without leave to amend the demurrer to the petition and to enter an order sustaining the demurrer with leave to amend. The parties to bear their costs on appeal.

Doi Todd, Acting P.J.

We concur:    Ashmann-Gerst, J.  
                     Chavez, J.

DIVISION THREE

B200777 So. California Regional Rail Authority, .(Certified for Publication)  
v.  
Superior Court, Los Angeles County  
(James Tutino, et al., r.p.i.)

The order to show cause is discharged. The petition for writ of mandate is granted. Let a peremptory writ of mandate issue directing respondent superior court to vacate the order of June 1, 2007, and to conduct further proceedings in accordance with the views expressed in this opinion. Petitioner shall recover their costs in this proceeding. (Cal. Rules of Court, rule 8.490(m).)

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

B200442      People      (Not for Publication)  
v.  
William A. Bradford

The judgment is reversed as to counts 3, 5, and 6. The judgment is otherwise affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

DIVISION FOUR

[illegible]

The judgment is reversed and the cause remanded to the superior court. That court is directed to vacate appellant's no contest plea if appellant moves to withdraw the plea within 30 days of the finality of this opinion. In that event, on motion of the People, the original charges shall be reinstated and trial or other appropriate disposition shall proceed in accordance with the views expressed in this opinion. If defendant does not elect to withdraw his plea of guilty, the superior court shall reinstate the judgment.

Manella, J.

We concur: Epstein, P.J.  
Willhite, J.

[illegible]

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Manella, J.

DIVISION FIVE

B197515      People      (Not for Publication)  
v.  
Martin Marquez et al

The judgments against defendants Marquez and Jauregui are hereby modified so as to provide expressly that both defendants are jointly and severally liable for the direct victim restitution. As modified, the judgments are affirmed.

Kriegler, J.

We concur:   Turner, P.J.  
                      Mosk, J.

B198104      People                                (Not for Publication)  
v.  
Terry Turner

---

The judgment is affirmed.

Kriegler, J.

We concur:   Armstrong, Acting P.J.  
                      Mosk, J.

## DIVISION FIVE (continued)

B205186 Advanced-Tech Security Services, Inc. (Not for Publication)

V.

Superior Court, Los Angeles County

A petition for writ of mandate is to issue directing respondent court to set aside its order entered on December 21, 2007 denying the motion for summary adjudication. A new order is to be entered granting the summary adjudication motion. Petitioner is to recover its costs.

Kriegler, J.

We concur: Turner, P.J.

Mosk, J.

DIVISION SIX

B200169      Cutbirth      (Not for Publication)

V.

Clipper Windpower, Inc.

The judgment is affirmed. Respondent shall recover his costs on appeal.

Yegan, J.

We concur:    Gilbert, P.J.

Coffee, J.

DIVISION SIX (continued)

B193958      People                      (Not for Publication)  
                 v.  
                 Alonzo

The judgment is affirmed.

Gilbert, P.J.

We concur:   Yegan, J.  
                 Coffee, J.

B197170      Marriage                              (Not for Publication)  
                 of  
                 Klug

The order is affirmed. Respondent to recover costs and attorney's fees on appeal.

Gilbert, P.J.

We concur:   Yegan, J.  
                 Perren, J.

B196012      People                              (Not for Publication)  
                 v.  
                 Rhodes

The judgment is affirmed.

Coffee, J.

We concur:   Gilbert, P.J.  
                 Yegan, J.



June 3, 2008 (Continued)

## DIVISION SIX (continued)

B199372      Laughlin      (Not for Publication)  
v.  
Scott

The judgment is affirmed. Costs on appeal are awarded to respondent.

Coffee, J.

We concur: Gilbert, P.J.  
Yegan, J.

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

B191214      Andersen  
v.  
California Investors XII

Filed order dismissing appeal. (notice of appeal filed May 16, 2006)  
dismissed.

DIVISION SEVEN

B176880      Outland  
                 v.  
                 Beverly

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B200083      Price  
                 v.  
                 Connolly Pacific Co.

Filed order denying petition for rehearing.

DIVISION EIGHT

B194764      Leah Morris                              (Certified for Publication)  
                 v.  
                 John Chiang, as Controller, etc.,

The judgment is affirmed. The controller shall recover costs on appeal.

Cooper, P.J.

We concur:   Flier, J.  
                 Egerton, J. (Assigned)

B197512      Jang,    (Not for Publication)  
                 v.  
                 Era New Star Realty, Inc., et al.,

The order is affirmed. Respondent is entitled to costs on appeal.

Cooper, P.J.

We concur:   Rubin, J.  
                 Flier, J.

June 3, 2008 (Continued)

## DIVISION EIGHT (continued)

B197182 People (Not for Publication)  
v.  
Applegate

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.  
Flier, J.